Personnel

Permanent Personnel 4100
Recruitment and Selection
Acceptable Use Policy
Equal Employment Opportunity
Appointment and Conditions of Employment 4120-4140
Appointment and Conditions of Employment
Certification / Licensing
Health Examinations
Security Check / Fingerprinting
Personnel Records
Assignment of Personnel
Evaluation
Tenure
Termination of Employment
Periodic Personnel Reports
Rights, Responsibilities and Duties 4200
Rights, Responsibilities, and Duties
Title IX
Sexual Harassment
Smoking by School Personnel
Drug Free Workplace
Administrative Regulations on Drug Free Workplace
Weapons and Dangerous Instruments
Electronic Monitoring
Electronic Mail
Cell Phone Use
Use of Workplace, Facilities, Property, and Resources
Non-School Employment
Drug and Alcohol Testing for School Bus Drivers
Procedure for Resolving Grievances
Employee Safety 4300
Accidents and Absences
Occupational Exposure to Blood borne Pathogens

Reporting of Child Abuse and Neglect 4400
Reporting of Child Abuse and Neglect
Administrative Regulations on Reporting of Child Abuse and Neglect
Temporary Employees
Substitute Teachers
Student Teachers and Interns
Activities 4600
Employee Growth
Organizations
Compensation and Related Benefits 4700
Compensation and Related Benefits
Retirement
Insurance
Vacations and Holidays 4800
Vacations and Holidays - Certified
Vacations and Holidays - Non-Certified
Absences and Leaves 4900
Absences and Leaves
Sick Leave
Unavoidable Absences
Death in Immediate Family
Religious Holidays
Reduced Pay Absence
Family and Medical Leave Act
Leave for Governmental Service
Jury Duty

Personnel

PERMANENT PERSONNEL 4100

RECRUITMENT AND SELECTION 4110

The Board of Education is committed to the policy of recruiting and retaining the best, qualified staff within the limitations of the budget and the approved compensation.

Major criteria for selection shall be based on credentials, interviews, references, evaluation of previous performance, and personal qualities of the applicants. Personnel shall be considered on the basis of their effectiveness without discrimination as defined by law.

The recruitment and selection of all staff shall be based on the following:

- The Fairfield Board of Education in its employment practices shall not discriminate. It is an equal opportunity employer.
- Furthermore, the Fairfield Board of Education shall actively seek candidates among minority groups for filling vacancies existing for all certified and non-certified positions in the Fairfield Public Schools.
- The Fairfield Board of Education shall always choose the best qualified candidate to fill any vacancy while avoiding discriminatory practices as prohibited by Connecticut General Statutes.

Legal Reference: Connecticut General Statutes
10-151 Employment of teachers. Notice and hearing on termination of contract.
10-153 Discrimination on account of marital status.
10-220 Duties of Boards of Education (as amended by PA 98-252)
46a-60 Discriminatory employment practices prohibited
Title IX Equal Employment Opportunity
American With Disabilities Act (ADA)
Family Medical Leave Act (FMLA)

Approved 8/27/04

Personnel

Permanent Personnel

NON-DISCRIMINATION / AFFIRMATIVE ACTION: EQUAL EMPLOYMENT OPPORTUNITY 4111

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action, and termination) on the basis of race, color, religion, age, sex, familial status, sexual orientation, national origin, ancestry, disability, genetic information, or any other protected group, except in the case of a bona fide occupational qualification or need.

Legal Reference: Connecticut General Statutes
Title VII of the Civil Rights Act of 1964, 42 USC 2000e
Age Discrimination in Employment Act, 29 USC 621
Americans with Disabilities Act, 42 USC 12101
46a-60 Connecticut Fair Employment Practices Act
10-153 Discrimination on basis of marital status
PA 91-58 An Act Concerning Discrimination on the Basis of Sexual Orientation

Approved 8/27/04

Board of Education
Policy Guide

Personnel

FAIRFIELD PUBLIC SCHOOLS ACCEPTABLE USE POLICY (AUP) FOR SCHOOL PERSONNEL 4118.5

Purpose

The purpose of policy is to provide common standards for the use of Fairfield Public Schools electronic communications by all employees for within Fairfield and across state and national boundaries. This policy has been developed to make users aware of acceptable uses of the Fairfield Public Schools **computer network** and of prohibited or unacceptable uses.

Policy Compliance

This *Acceptable* Use *Policy* includes a set of guidelines for using the Fairfield Public Schools computer network. It applies to users accessing other networks, including the Internet, through the network. Unacceptable uses occurring on other networks are a violation of the *Acceptable Use Policy*.

General Principles for Use

Use of Fairfield Public Schools Network must be consistent with the mission and goals of The Fairfield Public Schools.

The network is a school district resource, and use thereof is subject to the same rules as other school district resources. Personal use of the network for work not related to Fairfield School District is limited in scope to occasional use. Each individual with Fairfield Public Schools' network access is responsible for controlling its use.

1. All federal and state laws concerning computers, networks, and personal conduct apply when using Fairfield School Districts' computing resources. Users are accountable for their conduct under applicable District policies, procedures, and collective bargaining agreements. Users must act responsibly, respecting the rights of other users, maintaining the security of network resources, preserving the integrity of data, and complying with all pertinent licensing and contractual agreements. Responsible behavior also includes common sense preventive measures such as checking all downloaded files for computer viruses, and reporting suspected or potential security violations to management. Established internal

General Principles for Use (continued)

publishing policies, regulations, standards and guidelines used for traditional paper publishing are generally applicable to all forms of online publishing. Web page and other online document publishers are responsible for the content of the pages they publish and are expected to abide by the highest standards of quality and responsibility. [1]

2. Information accessed through the District network should be viewed as

proprietary (i.e., subject to copyright laws, trademarks, etc.) unless specifically stated otherwise, *in writing*, by the owners or holders of rights.

3. The downloading of any software products via the District network may be subject to licensing and contractual agreements.
4. E-Mail messages are considered public records and are therefore legally discoverable and subject to record retention policies.
5. The content of files or services made available through the District network is the responsibility of the persons originating them and the department for which they work. It is the district's responsibility to make these individuals aware of all applicable Federal laws, State laws and agency policies and to review content for compliance with them.
6. As a user of the Fairfield Public Schools' Network, you may access other networks (and/or the computer systems attached to those networks). Each network or system has its own set of policies and procedures. Actions allowed on one network may be forbidden on other networks. It is the user's responsibility to abide by the policies and procedures of these other networks.
7. The network is a shared resource and users must be mindful of the impact their activities have on network resources and other users.
8. As a user, it is important to identify yourself clearly and accurately in all electronic communications. Concealing or misrepresenting your name or affiliation to mask irresponsible or offensive behavior is a serious abuse. Using identifiers of other individuals as your own constitutes fraud.
9. Users should be aware that commercial service providers are not required to provide notification when fees are charged for services. Incurring such fees is subject to the Fairfield Schools' purchasing procurement procedures.

Board of Education
Policy Guide

Personnel

FAIRFIELD PUBLIC SCHOOLS ACCEPTABLE USE POLICY (AUP) FOR SCHOOLPERSONNEL **4118.5**

Encouraged Uses

The Fairfield Public Schools computer network is intended to provide a means for appropriate educational activities and support services. The district grants access to the network and the Internet by users only for educational activities authorized under the guidelines, procedures, and specific limitations contained in this document and other supporting district policies. All e-mail messages sent or received by personnel of the

Fairfield Public Schools shall be retained in electronic form through the use of the district's electronic back-up system. E-mail messages sent or received by personnel of the Fairfield Public Schools pertaining to specific students or containing personally identifiable student information shall be maintained as part of the educational records of the individual student in question and disclosed to parents and eligible students upon request as part of the student's educational record. All personnel shall restrict use of e-mail concerning students to information that would otherwise be transmitted in writing by memorandum and maintained as part of the student's permanent educational record. All personnel shall restrict use of e-mail on subjects other than students to information that is appropriate for maintenance in the district's permanent and publicly available records and information. E-mail communications are not transient in nature and no message shall be sent by e-mail that is in the nature of a voice or telephone communication. E-mail messages concerning particular students may be sent outside of the Fairfield Public Schools (including messages to parents), consistent with the Family Educational Rights and Privacy Act (FERPA) only to secure, verified valid e-mail addresses, such that the message may be read only by the intended addressee. Such messages must be marked to identify the confidential nature of the communication and the obligation of the recipient to maintain the confidentiality of the information contained in the message. Suggested language is as follows "*Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s). If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Please note that messages may be subject to the Connecticut Freedom of Information Act and to the confidentiality provisions of the Family Education Rights and Privacy Act.*"

Unacceptable Uses

The employee is responsible for his/her actions and activities involving school unit computers, networks and Internet services and for his/her computer files, passwords and accounts. General examples of unacceptable uses which are expressly prohibited include but are not limited to the following:

FAIRFIELD PUBLIC SCHOOLS ACCEPTABLE USE POLICY (AUP) FOR SCHOOL PERSONNEL **4118.5**

Unacceptable Uses (continued)

1. The use of Fairfield Public Schools computer network for illegal or inappropriate purposes is prohibited. Illegal activities are violations of local, [2] state, and/or federal laws and regulations Inappropriate uses are violations of the intended use of the network, as defined in this document.
2. The District computer network is not to be used for unauthorized access to any computer system, application or service.
3. The District computer network is not for private, commercial purposes, such as business transactions between individuals and/or commercial organizations.
4. It is not acceptable to use the District network to interfere with or disrupt network users, services, or computers. Disruptions include, but are not limited to, distribution of unsolicited advertising, and propagation of computer viruses.
5. It is not acceptable to use or engage in acts that are deliberately wasteful of computing resources or which unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, broadcasting unsolicited mailings or other messages, creating unnecessary output or printing, or creating unnecessary network traffic.
6. The Fairfield Schools' network may not be used in support of a campaign for public office.
7. Any use that is illegal or in violation of other Board policies, including harassing, discriminatory or threatening communications and behavior, violations of copyright laws, etc.;
8. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;
9. Any inappropriate communications with students or minors;
10. Any use for private financial gain, or commercial, advertising or solicitation purposes;

Unacceptable Uses (continued)

11. Any use as a forum for communicating by e-mail or any other medium with

other school users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school-sponsored organization; to solicit membership in or support of any non-school-sponsored organization; or to raise funds for any non-school-sponsored purpose, whether for-profit or not-for-profit. No employee shall knowingly provide school e-mail addresses to outside parties whose intent is to communicate with school employees, students and/or their families for non-school purposes. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from the building principal or appropriate administrator.

12. Any communication that represents personal views as those of the school unit or that could be misinterpreted as such;
13. Downloading or loading software or applications without permission from the system administrator;
14. Opening or forwarding any e-mail attachments (executable files) from unknown sources and/or that may contain viruses;
15. Sending mass e-mails to school users or outside parties for school or non-school purposes without the permission of the system administrator for other designated administrator;
16. Any malicious use or disruption of the school unit's computers, networks and Internet services or breach of security features;
17. Any misuse or damage to the school unit's computer equipment;
18. Misuse of the computer passwords or accounts (employee or other users);
19. Any communications that are in violation of generally accepted rules of network etiquette and/or professional conduct;
20. Any attempt to access unauthorized sites;
21. Failing to report a known breach of computer security to the system administrator;
22. Using school computers, networks and Internet services after such access has been denied or revoked; and
23. Any attempt to delete, erase or otherwise conceal any information stored on a school computer that violates these rules.

The above policy was adapted from the State of Connecticut Acceptable Use Policy Telecommunications Network, CABE and the Town of Fairfield Acceptable Use Policy

Approved 2/24/2009

Personnel

Permanent Personnel

APPOINTMENT AND CONDITIONS OF EMPLOYMENT 4120-4140

APPOINTMENT 4121

Administrative

The Board shall make appointments of Headmasters and Principals based on the recommendation of the Superintendent.

All Other Employees

The Superintendent or designee shall select all other employees and execute all contracts with them as the agent of the Fairfield Board of Education.

Approved 8/27/04
Approved 7/24/07

Personnel

Permanent Personnel

Appointment and Conditions of Employment

CERTIFICATION / LICENSING 4122

Personnel holding a position for which a certificate or license is required by either statute or regulations must present such evidence prior to employment.

Legal Reference: Connecticut General Statutes 10-145d-400
Part I Definitions
Part II General conditions
Part III Types of certificates
Part IV Special authorizations
Part V Reissue and cross endorsement of certificates
Part VI Early childhood, elementary, or middle school certificates
Part VII Middle grades

Part VIII Secondary academic
Part IX Special subjects or instructional areas
Part X Applied curriculum and technology subjects
Part XI Vocational technical
Part XII Special education: blind, partially sighted, or hearing impaired
Part XIII Special services certificates
Part XIV Administrative
Part XV Adult education
Part XVI Discontinued endorsements and prior authorization
Part XVII Appeal process

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

HEALTH EXAMINATION 4123

All personnel, on appointment, shall present evidence of physical and mental fitness in accord with the requirements prescribed by the Fairfield Department of Health. Such evidence shall include a Mantoux tuberculin skin test done within the past year.

On request of the Superintendent, any staff member may be required to present evidence from a qualified physician that he is physically and/or mentally qualified to perform his duties in a satisfactory manner.

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

SECURITY CHECK / FINGERPRINTING 4124

In order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check including fingerprinting.

Legal Reference: Connecticut General Statutes 10-221d Criminal history records checks of school personnel. Fingerprinting, Termination or dismissal.

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

PERSONNEL RECORDS 4125

The Superintendent or designee shall be responsible for the maintenance of personnel files subject to the requirements of the Connecticut General Statutes and contracted conditions of employment.

Legal Reference: Connecticut General Statutes
1-213 Agency administration. Disclosure of personnel, birth, and tax records
1-214 Objection to disclosure of personnel or medical files
1-206 Denial of access to public records or meetings
10-151a Access of teacher to supervisory records and reports in personnel file
10-151c Records of teacher performance and evaluation not public records

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

ASSIGNMENT OF PERSONNEL 4126

The Superintendent or designee shall make assignments of personnel in the best interest of the Fairfield Public Schools.

The Superintendent or designee shall specify and assign duties to personnel, and shall be responsible for the enforcement of such rules and other contractual obligations as the Board may from time to time establish for the proper and efficient operation of the school district.

The assignment of personnel may include assignments, at times, not restricted to the traditional school day in order to maximize the effectiveness of staff, programs, and time for instruction.

Transfers shall be made in the best interest of the Fairfield Public Schools.

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

EVALUATION 4127

The Board shall act in accordance with Connecticut General Statutes and/or the respective Collective Bargaining Agreement(s) developed by the Board of Education and the various bargaining unit(s).

All non-certified personnel are on probation for a period of one (1) year from the date of employment or as noted within the respective Collective Bargaining Agreement.

Non-certified personnel shall be formally evaluated twice during the first year of services and once a year thereafter.

Legal Reference: Connecticut General Statutes
10-145b Teaching certificates
10-151b Evaluation by superintendent of certain educational personnel (as modified by PA 95-58, An Act Concerning Teacher Evaluations, Tenure, and Dismissal
10-220a In-service training. Professional development. Institutes for educators. Cooperative and beginning teacher programs, regulations

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

TENURE 4128

Attainment of tenure in the Fairfield Public Schools shall be in compliance with the requirements of the Connecticut General Statutes.

Approved 8/27/04

Personnel

Permanent Personnel

Appointment and Conditions of Employment

TERMINATION OF EMPLOYMENT 4129

In accordance with Connecticut General Statutes and/or the corresponding Collective Bargaining Agreement, personnel whose performance is deemed unsatisfactory shall be terminated or if necessary recommended by the Superintendent to the Board of Education for termination of employment.

Possession of Weapons

Employees possessing firearms or legally defined weaponry while on school premises will be subject to employment termination proceedings.

Approved 8/27/04

Personnel

Permanent Personnel

PERIODIC PERSONNEL REPORTS 4150

The Superintendent or designee shall make a written report to the Board at each of its business meetings, such report to include the specifics of all personnel changes, which have occurred during the period since the last report.

Approved 8/27/04

Personnel

RIGHTS, RESPONSIBILITIES, AND DUTIES 4200

All employees of the school system are subject to the policies of the Board, applicable laws, and current employee agreements.

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

TITLE IX **4210**

NOTICE IS HEREBY GIVEN to all persons that Fairfield Public Schools, in accordance with Federal Regulations set forth in the Federal Register, Vol. 40, No. 108, June 4, 1975, does not discriminate on the basis of sex in any education program or activity which it provides, promotes, or promulgates. This non-discrimination policy extends to employment and admission procedures. The Title IX Coordinator for the Fairfield Public Schools is the Assistant Superintendent of Human Resources and Leadership Development, P. O. Box 320189, Fairfield, Connecticut 06825 or 255-8369.

Questions regarding programs or activities may be directed to the Superintendent of Schools or designee. Questions relating to the employment practices and procedures may be directed to the Assistant Superintendent of Human Resources and Leadership Development.

Resolution of specific problems and interests for staff relating to Title IX will follow the established grievance procedures as set forth in the appropriate Collective Bargaining Agreements with the Board of Education.

Resolution of specific problems and interests for students relating to Title IX will follow procedures as follows:

1. First, discuss the problem or interest with the classroom teacher, or if it is a building-wide problem, with the building principal.

   If it is a system-wide problem or you cannot get any satisfaction from the building principal or classroom teacher, contact the Superintendent of Schools or designee.

2. If the problem is not resolved to your satisfaction by someone from the Superintendent's Office, then either write a letter to the Secretary of the Board of Education at P. O. Box

320189, Fairfield, Connecticut 06825, or come to a regularly scheduled meeting of the Board of Education and speak to the matter under the agenda item “Hearing of Citizens”.

3. If the matter is not resolved to your satisfaction by the Board of Education, you also have recourse to the State Commissioner of Education in Hartford.

Personnel

Rights, Responsibilities, and Duties

TITLE IX (continued) 4210

In accordance with Section 86.6(b) of the Title IX Regulations, students or employees may report any grievances directly to the Director of the Regional Office for Civil Rights, U.S. Department of Health and Human Services, Government Center, J. F. Kennedy Federal Building - Room 1875, Boston, Massachusetts 02203.

It is the intention of the Fairfield Public Schools to accommodate the learning needs of all students irrespective of the sex of the student.

CREF 5545

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

SEXUAL HARASSMENT 4211

The Fairfield Board of Education is committed to safeguarding the right of all employees within the school district to a work environment that is free from all forms of sexual harassment including molestation and unwelcome fraternization. Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to extort sexual favors from an

employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating, hostile, or offensive working environment. The Board also strongly opposes any retaliatory behavior against complainants or any witnesses.

Any employee who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately so that appropriate corrective action may be taken at once. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating, and remedying allegations of sexual harassment.

Sexual harassment also includes any such conduct on the part of an employee toward a student.

No employee shall engage in any such conduct or condone such conduct by students. Furthermore, retaliation against an employee or student making a complaint is also prohibited.

Violations of this policy will result in disciplinary action. This disciplinary action may include, but is not limited to, a reprimand, probation, suspension, or termination.

Complaints should be referred to the Title IX Coordinator at the site of the occurrence:

- either high school, the Administrator for Pupil Services and Guidance
- any middle school, the Assistant Principal
- any elementary school, the Principal

A complaint could also be filed with the Assistant Superintendent of Human Resources and Leadership Development, P. O. Box 320189, Fairfield, Connecticut 06825 or 255-8369.

Personnel

Rights, Responsibilities, and Duties

SEXUAL HARASSMENT (continued) 4211

Investigations of the alleged violations shall commence immediately and a report rendered to the Superintendent within forty (40) days. Those involved with a sexual harassment investigation are expected to protect the confidentiality of all individuals and information related to the case.

Investigations will be documented with a written, factual report, regardless of the investigation's outcome. Findings of an investigation may be appealed to the Board of Education.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 USC §2000-e2(a)
Equal Employment Opportunity Commission Policy Guidance (N- 915.035) on Current Issues of Sexual Harassment, effective 10/15/88
Meritor Savings Bank, FSB v. Vinson 477 US.57 (1986) 29 CFR Para. 1604.11 (EEOC)
Faragher v. City of Boca Raton, No. 97-282 (US Supreme Court, June 26, 1998)
Burlington Industries, Inc. v. Ellerth, No. 97-569 (US Supreme Court, June 26, 1998)
Gebbser v. Lago Vista Indiana School District, No. 99-1866 (US Supreme Court, June 26, 1998)
Connecticut General Statutes 46a-60 Discriminatory employment practices prohibited

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

SMOKING BY SCHOOL EMPLOYEES 4220

Smoking by school employees will not be permitted in any public school building or on school grounds in the Town of Fairfield during the school day. Students and staff in the Continuing Education Program and adults attending meetings in school buildings may smoke in designated outside areas equipped with receptacles for ashes and associated debris.

Legal Reference: Drug Free Workplace Act, 102 Stat. 4305-4308
Drug-Free Schools and Community Act, PL 99-570, as amended by PL 101-226 (199)
21 USC 812, Controlled Substances Act, I through V, 202
21 CFR 1300.11 through 1300.15 regulations

54 Fed. Reg. 4946 (1989)
Connecticut General Statutes
1-21b Smoking prohibited in certain places

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

DRUG FREE WORKPLACE 4225

In accordance with the Drug Free Workplace Act of 1988 and the Drug Free School and Communities Act, it is the policy of the Fairfield Public Schools to prevent and prohibit the use, distribution, or possession of drugs and alcohol on school premises or as part of any of its activities off school property. Further, any use of drugs or alcohol, which would impair an employee's performance during school hours is prohibited.

Violations of this policy including the possession, use, distribution of any drug or alcohol or drug paraphernalia, and/or being under the influence of drugs or alcohol on school property or at any school-sponsored event will be dealt with in accordance with the Administrative Regulations.

Since drug or alcohol use and abuse may be indicative of serious underlying problems, the Board of Education shall make every effort to offer an employee help and assistance that could include early identification of substance abuse problems, referral for treatment, and aftercare.

In dealing with infractions school personnel recognize that a sanctuary will not be provided for those who violate local, state, and federal law. The Administrative Regulations will govern the involvement of the Police Department with respect to violations, which occur on school property or at school-sponsored events.

Legal Reference: Drug-Free Workplace Act, 102 Stat. 4305-4308
Drug-Free Schools and Community Act, PL 99-570, as amended by PL 101-226 (1991)
21 USC 812, Controlled Substances Act, I through V, 202
21 CFR 1300.11 through 1300.15 regulations
54 Fed. Reg. 4946 (1989)

Connecticut General Statutes
1-21b Smoking prohibited in certain places
19-443(6) Exception

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

ADMINISTRATIVE REGULATIONS ON
DRUG FREE WORKPLACE **4225AR**

Employees who violate the provisions of Board of Education Policy 4225, Drug Free Workplace, will be subject to disciplinary action, consistent with applicable state and federal laws which may include the involvement of the Police Department and referral for criminal prosecution. Disciplinary action will include, at a minimum, a letter of reprimand and may include, but is not limited to, suspension or termination from employment. Enrollment and successful completion of an appropriate substance abuse rehabilitation program may be required at the discretion of the administration.

Employees of the Fairfield Public Schools shall report any suspected violation of Policy 4225, Drug Free Workplace, to an administrator or directly to the Superintendent of Schools. The Superintendent or designee will immediately investigate the allegation and meet with the alleged violator. Any disciplinary sanctions imposed will ensure that similar violations are treated similarly.

All employees will be notified of this policy on a yearly basis, and be made to recognize compliance is mandated.

Information about available drug and alcohol counseling, rehabilitation, and re-entry programs will be made available to employees.

8/27/04

Personnel

Rights, Responsibilities, and Duties

WEAPONS AND DANGEROUS INSTRUMENTS 4230

All dangerous instruments and weapons (guns, knives, etc.) are prohibited on school property, student transportation, and at school-sponsored activities. Such instruments and weapons shall be confiscated. Any violation will be reported to the police. School officials shall pursue appropriate disciplinary or legal action.

Exceptions may be made at the discretion of the administration for school-provided or school-approved equipment that has an educational purpose. (e.g., knives in the restaurant program)

Legal Reference: Connecticut General Statutes 10-221 Board of Education to prescribe rules, policies, and procedures

Approved 8/27/04

ELECTRONIC MONITORING 4235

This policy also serves as the required posting notice.

Pursuant to the authority of Public Act 98-142, the Board of Education hereby gives notice to all its employees of the potential use of electronic monitoring in its workplace. While the Board may not actually engage in the use of electronic monitoring, it reserves the right to do so when determined to be appropriate by the Board or the Superintendent of Schools at their discretion.

"Electronic monitoring," as defined by Public Act 98-142, means the collection of information on school district premises concerning employees' activities or communications, by any means other than direct observation of the employees. Electronic monitoring includes the use of a computer, telephone, wire, radio, camera, electromagnetic, photo-electronic, or photo-optical systems. The law does not cover the collection of information (A) for security purposes in any common areas of the Board of Education premises which are open to the public, or (B) which is prohibited under other state or federal law.

All staff members are made aware of the following:

- Virtually, all electronic devices retain a record of each use and the information about that use may be recoverable.
- Electronic communications may not be secure and therefore may not be an appropriate means by which to communicate confidential or sensitive information.
- Freedom of Information Regulations apply to information maintained and/or communicated electronically as well as to information maintained or communicated on other media.

The following specific types of electronic monitoring may be used by the school district in its facilities:

- Monitoring of e-mail and other components of the school district's computer system for compliance with policies.
- Video surveillance of employee parking areas for security purposes.
- Telephone monitoring (office, professional calls only) for quality control and performance assessment.
- Monitoring of electromagnetic card access system for security purposes.

ELECTRONIC MONITORING (continued) 4235

The law also provides that, where electronic monitoring may produce evidence of misconduct, the school district may use electronic monitoring without prior notice when the Board and/or Superintendent have reasonable grounds to believe employees of the school system are engaged in conduct that (1) violates the law, (2) violates the legal rights of the Board of Education or other employees, (3) creates a hostile work environment, or (4) violates Board policy or regulations.

Questions about electronic monitoring in the workplace should be directed to the Superintendent of Schools or members of the administrative staff.

Approved 8/27/04

ELECTRONIC MAIL 4240

This policy also serves as the required posting notice.

Electronic Mail is provided to members of the staff primarily for the purpose of conducting the

business of the school system and fulfilling one's work responsibilities. The Board of Education encourages the use of electronic mail services to share information, to improve communication, and to exchange ideas. Occasional non-commercial, personal use (within reason) is allowed.

Freedom of Information Regulations apply to information maintained and/or communicated electronically as well as to information maintained or communicated on other media. Users should exercise extreme caution in using e-mail to communicate confidential or sensitive matters.

Network administrators may review files and communications to maintain system integrity and to ensure that staff members are using the system responsibly. Users should not expect that files stored on district servers will be private.

E-mail should be read by the person to whom it is addressed. It is not to be read by any staff member, including those with sufficient computer system privileges. However, users should be aware that on occasion, network and computer operations personnel, system administrators, and personnel conducting audits may, during the performance of their duties, inadvertently see the contents of e-mail messages. They are not permitted to disclose or otherwise use what they may have seen except as required legally or in an extreme emergency. Management, however, reserves the right to periodically monitor employees' use of any electronic system.

All employees are expected to conduct themselves with the same integrity and personal demeanor in electronic communications as in face-to-face dealings with one another.

Any use perceived to be illegal, harassing, offensive, or in violation of other policies could be the basis for disciplinary action including restriction of access to the system, up to and including termination of employment.

ELECTRONIC MAIL (continued) 4240

The following behaviors are examples not permitted on district networks:

- Abuse or any deliberate attempt to disrupt computer resources.
- Any attempt to break into computer resources at the Board of Education or other sites.
- Extreme network etiquette violations including mail that degrades, demeans, or harasses other individuals or uses obscene language.
- Engaging in practices that threaten the network (e.g., loading files that may introduce a virus).
- Violating copyright laws.
- Use of e-mail for commercial, private, or personal business purposes.

- Sharing of one's e-mail account or access password.
- Trespassing in others' folders, documents, or files.
- Assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition.
- Other behaviors in violation of district policy or regulations.
- Chain mail such as jokes, greeting cards, and religious media.

Violations will result in appropriate disciplinary action(s).

The law also provides that, where electronic monitoring may produce evidence of misconduct, the school district may use electronic monitoring without prior notice when the Board or Superintendent have reasonable grounds to believe employees of the school system are engaged in conduct that (1) violates the law, (2) violates the legal rights of the Board of Education or other employees, (3) creates a hostile work environment, or (4) violates Board policy or regulation.

Questions about electronic monitoring in the workplace should be directed to the Superintendent of Schools or members of the administrative staff.

Legal Reference: Connecticut General Statutes
The Freedom of Information Act
PA 98-142 An Act Requiring Notice to Employees of Electronic Monitoring by Employees

CREF 3530

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

CELL PHONE USE **4245**

The district provides cell phones to selected employees in order to carry out activities directly related to their job responsibilities. Cell phones may not be used while driving a vehicle unless the cell phone is operated using a hands-free device. If a hands-free device is not available, the vehicle must be stopped while communicating by cell phone.

All cell phone accounts are managed by the Business Office, including, arrangements for calling plan, type of telephone instrument, and any and all other arrangements with an equipment or service provider. District cell phones may not be purchased through individual school budgets or other school accounts.

Cell phones shall be used only by the individual to whom it is issued and are restricted from personal use (both incoming and outgoing) except in the case of bona fide emergencies.

The loss or theft of a cell phone shall be reported immediately to the Business Office.

CREF 3540

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

USE OF WORKPLACE FACILITIES, PROPERTY, AND RESOURCES 4250

The Board of Education gives notice to all employees that school system facilities, property, and resources are provided for uses, which are consistent with the employee's job responsibilities. Other uses of school system facilities, property, and resources require prior written approval of the Reservation Office, with the exception of reasonable personal use. Employees may not use school facilities for profit-making enterprises such as tutoring instruction without prior written approval from the Central Office Administration.

CREF 3520

Approved 8/27/04

Personnel – Certified/Non-Certified

Non-School Employment **4251**

School personnel may receive compensation for outside employment or similar activities provided such employment or activities do not interfere with the proper discharge of their assigned duties in the school district, do not constitute a conflict of interest, and/or do not cause poor public relations within the community. It is expected that any outside activity performed by school personnel will be carried on in a business-like and ethical manner. School personnel shall not endorse any outside academic, athletic or other educationally-related program in a manner that states, suggests or implies that the Fairfield Public Schools will provide a benefit of any kind to a student who participates in that outside program. Moreover, no endorsement shall state, suggest or imply that the Fairfield Public Schools endorses the outside program(s) in which the school personnel participate.

It shall be considered a conflict of interest for school personnel to receive compensation to privately tutor, otherwise provide educational services to or otherwise employ students in their classes or on their caseload.

In addition, school personnel shall not receive any compensation or material gain from individuals outside the school system for school materials, property provided by the school system or for services rendered while performing their jobs, unless they receive prior written approval from the Superintendent or his/her designee. Furthermore, school personnel shall not use any school materials as part of their outside employment or activities unless they receive prior written approval from the Superintendent or his/her designee.

This policy shall not preclude school personnel from providing homebound instruction to children at the direction of the Board of Education or Administration.

Policy Adopted: 3/28/2006
Revised and Approved 3/25/2008
Revised and Approved 6/10/2008

Personnel

Rights, Responsibilities, and Duties

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS 4255

The Fairfield Public School District is committed to the establishment of a drug and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. The district shall adhere to federal law and regulations requiring a school bus drivers drug and alcohol testing program.

Contracts for transportation approved by this district shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.

Legal Reference: United States Code, Title 49
2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)
Code of Federal Regulations, Title 49
40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs
382 Controlled Substance and Alcohol Use and Testing
395 Hours of Service Drivers
Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540
International Brotherhood of Teamsters v. Department of Transportation 932 F. 2d 1292 (1991)
American Trucking Association, Inc. v. Federal Highway Administration (1995) WL 136022 (4th circuit)
Connecticut General Statutes PA 95-140 An Act Authorizing Drug Testing of Drivers of Certain Commercial Motor Vehicle

Approved 8/27/04

Personnel

Rights, Responsibilities, and Duties

PROCEDURE FOR RESOLVING GRIEVANCES 4260

In resolving personal or class action grievances, all parties concerned shall act in accordance with the grievance procedures outlined in the appropriate Collective Bargaining Agreement.

Approved 8/27/04

Personnel

EMPLOYEE SAFETY 4300

ACCIDENTS AND ABSENCES 4310

All accidents shall be reported to the Superintendent of Schools or designee on a prescribed form.

All absences shall be reported in accordance with instructions to staff members by their immediate supervisor.

Legal Reference: Connecticut General Statutes
10-233g Boards to report school violence. Reports of principals to police authority
10-235 Indemnification of teachers, board members, and employees in damage suits; expenses of litigation
10-236a Indemnification of educational personnel in the line of duty
53a-18 Use of reasonable physical force

Approved 8/27/04

Personnel

Employee Safety

OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS 4320

In accordance with the United States Department of Labor, Occupational Safety and Health Administration regulations dealing with "Safe Workplace" standards related to exposure to bloodborne pathogens, the Board has developed and will implement procedures to protect at risk employees. These procedures, contained in the Fairfield Public Schools Emergency Protocol Manual, are designed to comply in full with applicable federal and state law regulations. The procedures will be overseen by the Superintendent or designee, in conjunction with the Fairfield Health Department, for periodic review and update. Copies of the procedures will be kept in the Nurse's Office at each school and in Central Office. The procedures will be monitored by the Connecticut Department of Labor.

It is the policy of the Board of Education, through these procedures, to take all necessary actions to protect its employees from infectious diseases, and in particular, HIV and Hepatitis B Virus, a life-threatening bloodborne pathogen.

The Board will further provide training and protective equipment to those persons who, by virtue of the performance of job duties, are at risk to come in contact with bloodborne infectious disease. Finally, all at-risk employees of the Board, as defined in the procedures, will be offered the vaccine for Hepatitis B Virus, a life-threatening bloodborne pathogen.

Training, needed protective equipment, and vaccination, as specified in the procedures, will be provided at no cost to the personnel described above as a safety precaution.

Legal Reference: 29 CFR Part 1910.1030 *Occupational Exposure to Bloodborne Pathogens*; Final Rule
Connecticut State Agencies Regulations Section 31-372-101- 1910.1030
Connecticut General Statutes 31-372 Adoption of federal and state standards. Variance.

Approved 8/27/04

Personnel

REPORTING OF CHILD ABUSE AND NEGLECT 4400

In compliance with Connecticut General Statutes, the Fairfield Board of Education recognizes all

professional and paraprofessional school employees as mandated reporters in all suspected cases of child abuse and neglect in and out of school. In order to protect children from injury, abuse, and neglect any suspicion of such must be immediately reported by such an employee to his immediate supervisor, the agency designated by State Statutes, and to the Superintendent or designee.

Legal Reference: Connecticut General Statutes:
17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order (as amended by PA 96-246 and PA 00-220)
17a-101a Report of abuse or neglect by mandated reports
17a-106 Cooperation in relation to prevention, identification, and treatment of child abuse/neglect
10-151 Teacher Tenure Act

CREF 5517

Approved 8/27/04

ADMINISTRATIVE REGULATIONS ON
REPORTING OF CHILD ABUSE AND NEGLECT **4400AR**

The State Law

Section 17a-101 of the Connecticut State Statutes has been enacted for the protection of children from abuse and has been established:

- to protect children whose health and welfare may be adversely affected through injury and/or neglect;
- to strengthen the family and to make the home safe for children by enhancing the parental or custodial capacity for good child care; and
- to promote a temporary or permanent nurturing and safe environment for children when necessary.

For the above purposes, the reporting of suspected child abuse is required as well as an investigation by a social agency, and provision of services, where needed, to such child and family.

Mandated Reporters

Mandated reporters who have reasonable cause to suspect or believe that a child under the age of eighteen (18) is in danger of being abused or has had non-accidental physical injury, or injury which is at variance with the history given of such injury, inflicted upon him by a person responsible for such child's health, welfare, or care or by a person given access to such child by such responsible person, or has been neglected, shall report to the DCF or police and to the designated school administrator.

The following school personnel are required by law (section 17a-101 of the Connecticut General Statutes) to report any suspected child abuse and neglect or at risk children with the understanding that failure to do so shall result in a fine of not more than $500.00:

- School Principal
- School Teachers
- School Nurses
- School Psychologists
- School Guidance Counselors
- Social Workers
- Dental Hygienists
- Licensed Physicians
- Licensed Substance Abuse Counselors
- Physical Therapists
- School Paraprofessionals

Mandated reporters are protected by immunity from liability (section 17a-101b).

Personnel

ADMINISTRATIVE REGULATIONS ON
REPORTING OF CHILD ABUSE AND NEGLECT (continued) 4400AR

Definitions of Child Abuse

Child Abuse is defined as the non-accidental physical or mental injury, sexual abuse, or neglect of a child under the age of eighteen (18) by a person responsible for the child's health, welfare, or care or by a person given access to the child by the responsible person.

Physical Abuse is defined as injuring a child by shaking, beating, burning, or other similar acts.

Sexual Abuse is defined as engaging in sexual behavior with a child or allowing sexual exploitation of a child.

Emotional Abuse is defined as excessive belittling, teasing, or berating which impairs a child's psychological growth.

Child Neglect is defined as failing to provide for a child's basic needs (i.e., food, clothing, shelter, hygiene, education, medical care, and supervision).

Child at Risk is defined as reasonable cause to believe or suspect a child is in danger of being abused as opposed to belief that the abuse has actually occurred.

Department of Children and Families (DCF)

Cases of suspected child abuse and/or neglect are to be reported to DCF. It is the responsibility of this agency to investigate each case and conduct an evaluation to determine the necessity for treatment for the family. The primary purpose of the investigation is treatment of the family and correction of the problem rather than criminal prosecution.

> **NOTE:** Cases of suspected abuse and/or neglect of intellectually disabled students between the ages of eighteen (18) and twenty (20) are reported to the State of Connecticut Office of Protection and Advocacy for Persons With Disabilities.

Reporting Procedures

A staff member (reporter) suspecting a child is abused / neglected or is in danger of being abused / neglected must report the suspicion. If there is any doubt about making a report, such doubt is resolved in favor of the child. No person shall prohibit or interfere with a report or referral to the DCF.

Personnel

ADMINISTRATIVE REGULATIONS ON
REPORTING OF CHILD ABUSE AND NEGLECT (continued) 4400AR

To Report an Incident

- The reporter will make the oral report of suspected abuse to the DCF Child Protection CARELINE (1-800-842-2288) within twenty-four (24) hours. This line is active twenty-four (24) hours a day, seven (7) days a week.

- Inform the principal or designee that you have reported a suspected case of child abuse or neglect.

- Submit a written report to the DCF within forty-eight (48) hours (DCF Form #136) and to the school principal or designee.

NOTE: If a reporter believes a child is in extreme, immediate danger, the reporter should call the police at once. If a report is made orally, to the police, the reporter must submit a written report (DCF Form #136) to DCF within forty-eight (48) hours of contacting the police.

Report Contents

The report should contain the following information, if known:

- name, age, gender of child, and address and telephone number of family;
- nature and extent of injuries, maltreatment, or neglect;
- approximate date and time the injury, maltreatment, or neglect occurred;
- the circumstances in which it became known to the reporter;
- information about previous injury, maltreatment, or neglect of the child or siblings;
- name of the person suspected to have caused the injury, maltreatment, or neglect;
- any other information the reporter believes would be helpful; and
- any action taken to treat or help the child.

Mandated reporters cannot make anonymous reports of suspected abuse to DCF. Although a mandated reporter may request that DCF keep confidential his identity, DCF cannot absolutely assure such confidentiality.

Notification of Parent

In the case of child neglect, the principal or designee has the responsibility of notifying the child's parent or guardian that an incident has been reported to DCF.

Personnel

ADMINISTRATIVE REGULATIONS ON
REPORTING OF CHILD ABUSE AND NEGLECT (continued) **4400AR**

Notification of Parent (continued)

In the case of physical abuse, consultation with DCF must occur before deciding who has the responsibility for notifying the parent or guardian.

In all cases of sexual abuse, DCF has the responsibility of initial notification of parent or guardian.

In every case of suspected child abuse, the principal must immediately notify the Superintendent of Schools.

Documentation

All matters and records relating to suspected abuse or neglect of a student must be maintained in a confidential manner.

The school district's copy of the written report to the DCF is kept in the student's Cumulative Health Record. The school nurse should also update the child's school health record to reference any assessment of the child's health status that was conducted in support of a referral made to the DCF or the police. When assessment of the child's health status is so noted, the final disposition of the DCF referral should be added to the school health record following the DCF investigation.

Procedures for Reporting Suspected Child Abuse by a School Employee

If an employee of the school system has reasonable cause to suspect that another employee of the school system is a perpetrator of child abuse or neglect, that employee must report that information orally to DCF or to the police within twenty-four (24) hours. After making the report, the reporter must notify the Superintendent of Schools or designee.

Upon receipt of such information the Superintendent or designee is required to do the following

immediately.

1. Contact the child's or youth's parent or guardian and advise them that a member of the school staff is suspected of possible abuse or neglect of their child.

Personnel

ADMINISTRATIVE REGULATIONS ON
REPORTING OF CHILD ABUSE AND NEGLECT (continued) 4400AR

Procedures for Reporting Suspected Child Abuse by a School Employee (continued)

2. Make a written report to the Commissioner of Education containing the following information:

- name and address of child's parent or guardian;
- nature and extent of injury;
- name of school employee; and
- any other information the Superintendent believes to be helpful in establishing the cause of injury or injuries and protecting the child.

A written report must be filed with DCF within forty-eight (48) hours. The employee who made the oral report to the DCF or to the police will send a written report to the DCF (DCF Form #136).

If a DCF or police investigation indicates there are findings of abuse or neglect, immediate action must be taken to protect the child.

Cases Involving a Certified Employee of Suspected Abuse

When an investigation by the DCF produces evidence that a certified school employee abused or neglected a child.

The Superintendent must:

- immediately suspend the employee with pay;
- notify the Board of Education within seventy-two (72) hours; and
- notify the Commissioner of Education.

The Board of Education must convene and ratify the Superintendent's action.

The suspension will remain in effect until the Board has the opportunity to act under the Teacher / Tenure Law and/or until the accused is found innocent.

Personnel

ADMINISTRATIVE REGULATIONS ON
REPORTING OF CHILD ABUSE AND NEGLECT (continued) 4400AR

Cases Involving a Non-Certified Employee Suspected of Child Abuse

When an investigation by the DCF produces evidence that a non-certified school employee abused or neglected a child.

The Superintendent must:

- immediately suspend the employee with pay; and
- notify the Board of Education within seventy-two (72) hours;

The Board of Education must convene and ratify the Superintendent's action.

The suspension will remain in effect until the Board has the opportunity to act under the Teacher / Tenure Law and/or until the accused is found innocent.

Non-certified employees would also be entitled to any due process rights and/or contractual rights that may exist.

8/27/04

Personnel

TEMPORARY EMPLOYEES 4500

The Board of Education has the responsibility to employ such persons as may be needed to

conduct the business of the school district, on a temporary basis. Such employment requires the official action of the Board of Education.

The Board of Education recognizes that there are times when extraordinary conditions warrant that the Superintendent of Schools hire temporary personnel in advance of official action by the Board in order to ensure the continuity of the district's functions and program. Any such action shall be promptly reported at the Board and subject to the Board's action at the next Board meeting.

Approved 8/27/04

Personnel

Temporary Employees

SUBSTITUTE TEACHERS 4510

A substitute teacher is a person who shall instruct children in the Fairfield Public Schools in the absence of the regular teacher. To qualify as a substitute teacher in the Fairfield Public Schools, a person must hold a Bachelor's degree from an accredited institution.

Conditions of Employment

Suitable programs for training, assigning, orienting, and evaluating the work of substitute teachers shall be provided by the certified staff under the direction of the Assistant Superintendent of Human Resources and Leadership Development. Each substitute will receive the Fairfield Public School's Substitute Handbook.

Each substitute teacher is expected to carry out all of the normal functions of the classroom teacher. Also, they will assume normal teacher responsibilities which are a part of the building routine such as corridor, bus, or study hall duty, etc.

Rates of compensation for substitute teachers will be set by the Board of Education.

Substitute teachers will not participate in the health and welfare plans or other fringe benefits of the school system.

Retired teachers may be employed as substitute teachers without jeopardizing their retirement salary within the limits as prescribed by law.

Approved 8/27/04

Personnel

Temporary Employees

STUDENT TEACHERS AND INTERNS 4520

The Fairfield Public Schools recognizes its role in the continuing development of teachers. Accordingly, student teachers and interns are accepted in the Fairfield Public Schools subject to the administration's approval.

Approved 8/27/04

Personnel

ACTIVITIES 4600

EMPLOYEE GROWTH 4610

In recognition of the importance of a shared commitment and responsibility for maintaining and improving district employee effectiveness, the Board of Education, in accordance with Connecticut General Statutes and/or the terms of the agreements between the Board of Education and appropriate bargaining units, shall provide for a planned, ongoing professional growth program (PGP) for all staff through:

- **s**ystematic and ongoing identification of immediate and long-term needs at four levels - district, school, department, individual;
- planning and evaluating of programs designed to meet the identified needs; and
- follow-up on recommendations for changes as appropriate.

Legal Reference: Connecticut General Statutes
10-27 Exchange of professional personnel and students
10-220a In-service training
10-226f Coordinator of intergroup relations
10-226g Intergroup relations training for teachers
10-145b Teaching certificates
PA 95-58 An Act Concerning Teacher Evaluations, Tenure, and Dismissal

Approved 8/27/04

Personnel

Activities

ORGANIZATIONS 4620

Personnel are urged to participate in organizations and associations, which shall contribute to their professional improvement.

Legal Reference: Connecticut General Statutes
10-153a Rights concerning professional organization and negotiations
10-153b Selection of teachers' representatives
10-153c Disputes as to elections
10-153e Strikes prohibited. Interference with the exercise of employees' rights prohibited
46a-60 Discriminatory employment practices prohibited

Approved 8/27/04

Personnel

COMPENSATION AND RELATED BENEFITS 4700

Compensation and related benefits shall be in accord with Connecticut General Statutes and/or the respective bargaining unit agreement where such exists and is applicable, or by Board determination.

Approved 8/27/04

Personnel

Compensation and Related Benefits

RETIREMENT 4710

In accordance with Connecticut General Statutes, the Board shall authorize that appropriate sums be deducted from each teacher's salary for membership in the Connecticut Teachers' Retirement System.

The Town of Fairfield Employee Retirement System provides retirement benefits to qualifying non-certified personnel.

Legal Reference: Connecticut General Statutes 10-160 Teachers' Retirement

Approved 8/27/04

Personnel

Compensation and Related Benefits

INSURANCE 4720

All employees are covered under the Connecticut Workers' Compensation Act.

The Board of Education shall protect all employees in the performance of their duties according to the Connecticut General Statutes and any corresponding regulations.

Insurances shall be in accordance with the Connecticut General Statutes and/or the respective bargaining unit agreement where such exists and is applicable, or by Board determination.

Legal Reference: Connecticut General Statutes
10-233g Boards to report school violence. Reports of principals to police authority
10-235 Indemnification of teachers, board members, and employees in damage suits; expenses of litigation
10-236a Indemnification of educational personnel in the line of duty
53a-18 Use of reasonable physical force

Approved 8/27/04

Personnel

VACATIONS AND HOLIDAYS 4800

CERTIFIED 4810

Personnel employed on a twelve (12) month basis are entitled to vacation days, which shall be arranged at the discretion of the Superintendent, in accordance with the applicable bargaining unit agreement, or by Board determination.

In addition, twelve (12) month personnel shall be entitled to legal holidays as outlined in the school calendar.

Legal Reference: Connecticut General Statutes
1-4 Days designated as legal holidays
10-156 Sick leave
10-156b Tenure and sick leave rights of teacher on regionalization of school and dissolution of regional school district
10-156c Military leave
10-156d Reemployment after military leave

Approved 8/27/04

Personnel

Vacations and Holidays

NON-CERTIFIED 4820

Non-certified twelve (12) month personnel shall be entitled to annual vacations with pay subject to the conditions outlined in their Collective Bargaining Agreement or by Board determination.

Vacation periods shall be adjusted to meet the needs of the department and do not necessarily have to come during the summer months.

In addition, twelve (12) month personnel shall be entitled to legal holidays as outlined in the school calendar.

Approved 8/27/04

Personnel

ABSENCES AND LEAVES 4900

Absences or leaves shall be in accordance with the following, as applicable: Connecticut General Statutes, Collective Bargaining Agreement where such exists and is applicable, by memorandum of understanding, or by Board determination.

Approved 8/27/04

Personnel

Absences and Leaves

SICK LEAVE 4910

Unless otherwise governed by a Collective Bargaining Agreement, all regular employees shall be allowed full pay for absences due to personal illness not to exceed ten (10) days in each school year.

Unused sick leave may be accumulated from year to year; provided, however, that the maximum of such accumulations shall not be more than one hundred twenty (120) days.

Notwithstanding the foregoing limitations, the Superintendent may allow sick leave with full pay according to the following schedules:

- up to thirty (30) additional days for employees with one (1) to five (5) years of service;
- up to sixty (60) additional days for employees with five (5) to ten (10) years of service; and
- up to ninety (90) additional days for employees with ten (10) or more years of service.

A doctor's certificate must be presented in the case of any absence due to illness over ten (10) days.

Approved 8/27/04

Personnel

Absences and Leaves

UNAVOIDABLE ABSENCES 4915

Unless otherwise governed by a Collective Bargaining Agreement, up to five (5) days in each school year may be allowed with pay for such absences, which, in the opinion of the Superintendent, are considered unavoidable and reasonable, such as illness in the employee's immediate family.

Approved 8/27/04

Personnel

Absences and Leaves

DEATH IN IMMEDIATE FAMILY 4920

Unless otherwise governed by a Collective Bargaining Agreement, in the case of death in the immediate family of any regular employee, such employee shall be entitled to leave with full pay for not more than three (3) days.

Approved 8/27/04

Absences and Leaves

RELIGIOUS HOLIDAYS 4925

Unless otherwise governed by a Collective Bargaining Agreement, all regular employees shall be entitled to leave with full pay for not more than three (3) days in each school year for the observance of major religious holidays.

Approved 8/27/04

Personnel

Absences and Leaves

REDUCED PAY ABSENCE 4930

Unless otherwise governed by a Collective Bargaining Agreement, up to three (3) additional days may be allowed for causes, which, while not unavoidable, are deemed important and reasonable by both the employee and the Superintendent. These three (3) days may be made available to the employee with pay equal to the difference between the regular salary and the pay of the substitute. Such absences are to be exclusive of allowable sick leave.

Approved 8/27/04

Personnel

Absences and Leaves

FAMILY AND MEDICAL LEAVE ACT 4935

The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA). Eligible employees are entitled to up to twelve (12) work weeks of unpaid family and medical leave in any twelve (12) month period. The district will continue to pay the district's share of the employee's health benefits during the leave. In addition, the district will restore the employee to the same or an equivalent position after the termination of the leave in accordance with Board policy.

Employees will not be deprived of any employment benefits accrued before taking FMLA leave. Conversely, employees on FMLA leave are not entitled to accrue any seniority or benefits during the leave unless determined otherwise due to a Collective Bargaining Agreement. When an employee returns from FMLA leave, benefits will be resumed in the same manner as provided prior to taking the leave, subject to any changes in benefit levels that may have occurred during the FMLA leave period and that affect the entire work force.

In complying with the FMLA, the district will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

Legal Reference: PL 103-3 and 29 CFR Part 825 The Family and Medical Leave Act of 1993

Final Rule-published in Federal Register, Vol. 60, Nov. 4, Friday, January 6, 1995, as amended on February 3, 1995 and on March 30, 1995. Rules and Regulations (29CFR Part 825)

Approved 8/27/04

Personnel

Absences and Leaves

LEAVE FOR GOVERNMENTAL SERVICE 4940

Any employee entering military service shall be reinstated in the position previously occupied. Upon his return such reinstatement shall be at a salary level to which he would have been entitled had his employment by the Board not been interrupted by the period of military service.

Approved 8/27/04

Personnel

Absences and Leaves

JURY DUTY 4945

Any employee who is called for jury duty shall receive the necessary leave to fulfill this legal obligation. This leave shall not be deducted from sick leave or from personal days. The staff member shall receive a rate of pay equal to the difference between the professional salary and the jury fee. However, teachers, due to the nature of their employment, are encouraged to request that they be deferred from jury duty to a time when school is not in session.

Approved 8/27/04

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[1] Website and Home Page Development – 6416R

[2] *Connecticut General Statutes*, Sec. 53a-251